



Minnesota Department of Natural Resources

7050 East Highway 101
Shakopee, Minnesota 55379
952.496.4141 ext 222

August 8, 2016

The City of Bloomington
1800 Old Shakopee Road West
Bloomington, Minnesota 55431

Subject: Trout designation change for unnamed stream, Hennepin County.

To City of Bloomington,

The Department of Natural Resources is proposing to add unnamed stream and adjacent tributaries to the designated trout stream list. This decision is based on the presence of suitable conditions to support trout. Our proposal would designate unnamed stream in Sections 1 and 12 of Township T27N, Range R24W, as shown on the attached map.

Minnesota Statutes, section 97C.005 requires the Commissioner of Natural Resources to notify all landowners adjacent to waters proposed for changes in trout designation. Trout designation includes specific regulations for trout fishing, permitting requirements on adjoining land, and specific standards for water quality. Differences for designated trout waters as compared to undesignated waters are explained on the attached information sheet.

If you have any questions or comments about this proposal, please contact Daryl Ellison at 952.496.4141 ext 222.

You may also submit comments regarding the proposed designation to:

Daryl Ellison, Minnesota Department of Natural Resources, 7050 East Highway 101 Shakopee, Minnesota 55379, or by email at daryl.ellison@state.mn.us. Comments will be accepted until November 7, 2016.

Sincerely,

A handwritten signature in blue ink that reads "Daryl Ellison". The signature is written in a cursive style.

Daryl Ellison

Enclosure



Unnamed Stream (Hennepin County)

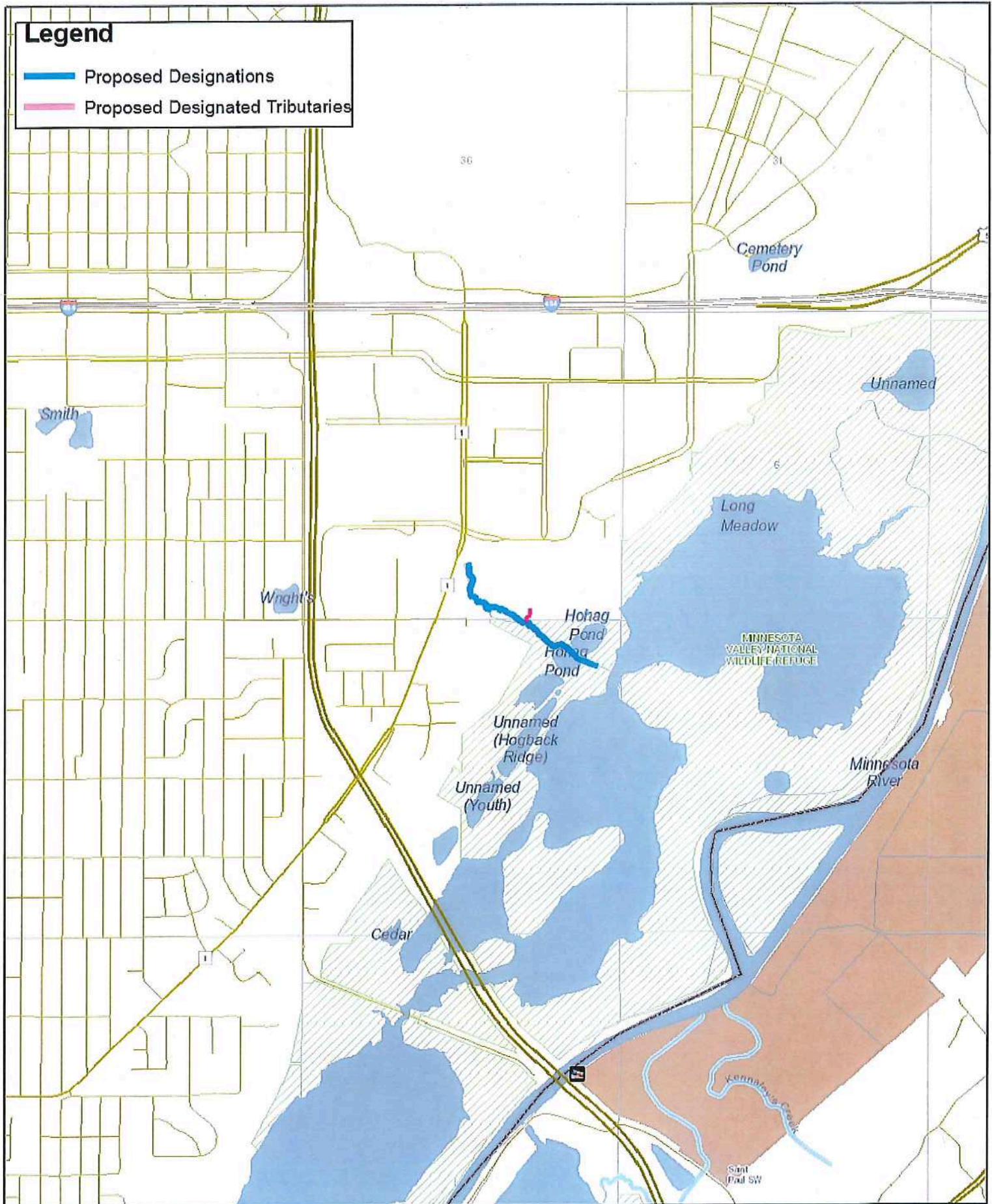
0 0.1 0.2 0.4 0.6 0.8 Miles



Created on 7/15/2016

Legend

- Proposed Designations
- Proposed Designated Tributaries





Regulatory Changes Based on Trout Designation

7/25/2016

Trout Streams are more sensitive than other systems to harm from warming, pollution or loss of habitat. As a result, they in some cases have more restrictive regulatory requirements than other streams. The following list contains the regulatory changes most commonly applied to landowners near trout streams.

- Fishing Regulations: Anglers must purchase a trout stamp to fish on designated streams, and must follow specific angling regulations such as the gear they can use and the time of year they are allowed to fish.
- Minnesota DNR Public Waters Work Permits: Designated trout streams have enhanced protection under the DNR Public Waters Work Permit Program, which covers all construction activities that occur within the stream channel. Placement of riprap, excavation or structure removal in the stream channel, and construction of low-water or bridge crossings are all examples that would require a permit on a designated stream, but in some cases would not on an undesignated stream.
- Minnesota DNR Water Appropriation Permits: Water appropriations from designated trout streams are not allowed under Minnesota law, except for temporary permits determined not to harm the stream. Groundwater wells that indirectly remove water from the stream are similarly not allowed. Groundwater appropriation permits have been granted in trout stream watersheds throughout Minnesota, but permits in these watersheds may receive increased scrutiny if there is potential for effects to the stream.
- Minnesota DNR Silica Sand Mining Permits: New silica sand mines within one mile of a designated trout stream must be permitted by the DNR, and meet specific conditions intended to prevent harm to the stream.
- State of Minnesota buffer law: All designated trout streams, including tributaries with a designated section, will be required to comply with Minnesota's buffer law after a grace period to come into compliance. The law requires a buffer of 50 feet average width (30 ft. minimum) on each side of the stream, or an approved alternative practice that protects water quality.
- Minnesota Pollution Control Agency (MPCA) water quality standards: MPCA generally applies coldwater (2A) water quality standards to DNR-designated trout streams. However, MPCA may choose to apply coldwater standards if a stream meets water temperature and aquatic life criteria, even if the DNR has not designated it as a trout stream. MPCA standards for temperature, dissolved oxygen, and other parameters are more stringent for coldwater streams. Construction stormwater and other MPCA permits contain more restrictions in the vicinity of trout streams.
- Minnesota Environmental Quality Board environmental review requirements: Any project that realigns, diverts, or channelizes a designated trout stream requires a mandatory completion of an Environmental Assessment Worksheet prior to the issuance of any state permits for the project.
- US Army Corps of Engineers Permits: Work within 300 feet of a designated trout stream is not eligible for work under a general permit, except for restoration projects. An individual permit with a longer review period is required.